

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
DIVISION

RECEIVED

2006 DEC 19 A 9:43

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

1:06CV1116-MEF

Tony Maurice Jackson )

\_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

Plaintiff(s) )

v. )

City of Dothan )

Dothan Police Department )

Chief John Powell )

Detective John Crawford )

Officer Sylvia Summers Defendant(s) )

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) Tony Maurice Jackson

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

Tony Jackson  
Plaintiff(s) signature

## UNITED STATES DISTRICT COURT

RECEIVED

Middle

District of

Alabama

2006 DEC 19 A 9:43

Plaintiff

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVITP. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

V.

CASE NUMBER:

Defendant

I, Tony Maurice Jackson declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration Houston County JailAre you employed at the institution? No Do you receive any payment from the institution? No

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. 9-22-06 Last date of employment  
\$215.00 Last Take-Home wages 9-4-06 thru 9-18-06 Last Pay Period  
I HOP 2210 Ross Clark Circle Dothan, AL. 36301

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 10/03)

4. Do you have **any** cash or checking or savings accounts? ☒ Yes ☐ No

If "Yes," state the total amount. \$ 5.00

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

Lydia Danielle Jackson (Wife) 50% Support  
 Jaquarion Keshad Deonte Jackson (Son) 50% Support  
 Tony Maurice Jackson Jr. (son) 50% Support

I declare under penalty of perjury that the above information is true and correct.

12-15-06

Date

Jamy Jackson

Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

State of Alabama  
Unified Judicial System

Form C-10  
Page 1 of 2

Rev. 2/95

# AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Case Number

IN THE District COURT OF Middle, ALABAMA  
(Circuit, District, or Municipal) (Name of County or Municipality)

STYLE OF CASE: Tony Maurice Jackson v. Chief John Powell Detective John Crawford  
Plaintiff(s) Defendant(s)  
Officer Sylvia Summers

TYPE OF PROCEEDING: Civil CHARGE(s) (if applicable):

- ☒ **CIVIL CASE--** I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived initially and taxed as costs at the conclusion of the case.
- ☐ **CIVIL CASE--** (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an attorney and I request that the court appoint one for me.
- ☐ **CRIMINAL CASE--** I am financially unable to hire an attorney and request that the court appoint one for me.
- ☐ **DELINQUENCY/NEED OF SUPERVISION--** I am financially unable to hire an attorney and request that the court appoint one for my child/me.

## AFFIDAVIT

### SECTION I.

#### 1. IDENTIFICATION

Full name Tony Maurice Jackson Date of birth 7-30-81

Spouse's full name (if married)

Complete home address 1415 Third Ave Dathan, AL. 36301

Number of people living in household 3

Home telephone number (334) 792-7211

Occupation/Job Cook Length of employment 8 months

Driver's license number None \*Social Security Number 421-11-2115

Employer I HOP Employer's telephone number (334) 794-1271

Employer's address 2210 Ross Clark Circle Dathan, AL. 36301

#### 2. ASSISTANCE BENEFITS

Do you or anyone residing in your household receive benefits from any of the following sources? (If so, please check those which apply.)

☐ AFDC ☐ Food Stamps ☐ SSI ☐ Medicaid ☐ Other

#### 3. INCOME/EXPENSE STATEMENT

Monthly Gross Income:

Monthly Gross Income \$ 500.00

Spouse's Monthly Gross Income (unless a marital offense)

Other Earnings: Commissions, Bonuses, Interest Income, etc.

Contributions from Other People Living in Household

Unemployment/Workmen's Compensation,

Social Security, Retirements, etc.

Other Income (be specific)

TOTAL MONTHLY GROSS INCOME

\$ 500.00

Monthly Expenses:

A. Living Expenses

Rent/Mortgage \$ 100.00

Total Utilities: Gas, Electricity, Water, etc. 50.00

Food 100.00

Clothing 50.00

Health Care/Medical

Insurance

Car Payment(s)/Transportation Expenses 140.00

Loan Payment(s)

\*OPTIONAL

Form C-10 Page 2 of 2 Rev. 2/95

## AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Monthly Expenses: (cont'd page 1)

Credit Card Payment(s) \_\_\_\_\_

Educational/Employment Expenses \_\_\_\_\_

Other Expenses (be specific) \_\_\_\_\_

Sub-Total

A \$ 440.00

B. Child Support Payment(s)/Alimony

\$ \_\_\_\_\_

Sub-Total

B \$ \_\_\_\_\_

C. Exceptional Expenses

\$ \_\_\_\_\_

TOTAL MONTHLY EXPENSES (add subtotals from A &amp; B monthly only)

\$ 440.00

Total Gross Monthly Income Less total monthly expenses:

DISPOSABLE MONTHLY INCOME

\$ 60.00

## 4. LIQUID ASSETS:

Cash on Hand/Bank (or otherwise available such as stocks, bonds, certificates of deposit)

\$ \_\_\_\_\_

Equity in Real Estate (value of property less what you owe)

\_\_\_\_\_

Equity in Personal Property, etc. (such as the value of motor vehicles, stereo, VCR, furnishing, jewelry, tools, guns, less what you owe)

\_\_\_\_\_

Other (be specific)

Do you own anything else of value? ☐ Yes ☒ No

(land, house, boat, TV, stereo, jewelry)

If so, describe \_\_\_\_\_


TOTAL LIQUID ASSETS

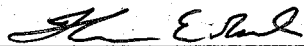
\$ 0

## 5. Affidavit/Request

I swear or affirm that the answers are true and reflect my current financial status. I understand that a false statement or answer to any question in the affidavit may subject me to the penalties of perjury. I authorize the court or its authorized representative to obtain records of information pertaining to my financial status from any source in order to verify information provided by me. I further understand and acknowledge that, if the court appoints an attorney to represent me, the court may require me to pay all or part of the fees and expenses of my court-appointed counsel.

Sworn to and subscribed before me this \_\_\_\_\_ My Commission Expires 8-7-2007

15 day of December, 2006
  
 Affiant's Signature

  
 Judge/Clerk/Notary

Tony Jackson  
 Print or Type Name

## ORDER OF COURT

## SECTION II.

IT IS THEREFORE, ORDERED, AND ADJUDGED BY THE COURT AS FOLLOWS:

☐ Affiant is not indigent and request is DENIED.
☐ Affiant is partially indigent and able to contribute monetarily toward his/her defense; therefore defendant is ordered to pay \$ \_\_\_\_\_ toward the anticipated cost of appointed counsel. Said amount is to be paid to the clerk of court or as otherwise ordered and disbursed as follows: \_\_\_\_\_
☐ Affiant is indigent and request is GRANTED.☐ The prepayment of docket fees is waived.

IT IS FURTHER ORDERED AND ADJUDGED that \_\_\_\_\_, is hereby appointed as counsel to represent affiant.

IT IS FURTHER ORDERED AND ADJUDGED that the court reserves the right and may order reimbursement of attorney's fees and expenses, approved by the court and paid to the appointed counsel, and costs of court.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
Judge

Mrs. Hackett:

The six month institutional statement which is also needed before filing of this complaint must be attained through fax or written request from your office. Sgt. Kim Turner has notified me of such and has told me to inform your office to get in touch with her through one of these two methods.

Jamy Jackson

12-15-06